

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Gregory Peatfield

v.

Civil No. 11-cv-00559-JL

Homan Associates, LLC, et al.

**ORDER AFTER PRELIMINARY**  
**PRETRIAL CONFERENCE**

The Preliminary Pretrial Conference was held in chambers on **January 19, 2012.**

Within 60 days of the date of this order, the plaintiff will file an amended complaint. Counsel is cautioned to plead only cognizable claims under applicable law, and with the specificity required under both the applicable substantive law and the Federal Rules of Civil Procedure.

Defendants' answer shall fully comply with the Federal Rules of Civil Procedure, and shall not raise objection or assert positions not recognized under the Federal Rules of Civil Procedure. Further, the answer will assert only cognizable affirmative defenses supported by evidence.

The parties will file a revised Joint Discovery Plan under Rule 26, with discovery completion deadlines that precede the

summary judgement deadlines, and a summary judgment deadline at least 120 days before the final pretrial conference.

**Summary Judgment.** The parties and counsel are advised that compliance with Rule 56(e) and Local Rule 7.2(b), regarding evidentiary support for factual assertions, and specification and delineation of material issues of disputed fact, will be required.

**Discovery disputes.** Discovery disputes will be handled by the undersigned judge, as opposed to the Magistrate Judge, in the normal course. No motion to compel is necessary. The party or counsel seeking discovery-related relief should confer with adverse counsel to choose mutually available dates, and then contact the Deputy Clerk to schedule a conference call with the court. The court will inform counsel and parties what written materials, if any, should be submitted in advance of the conference call.

Customary motions to compel discovery, while disfavored by the undersigned judge, are nonetheless permissible. If counsel prefer traditional discovery litigation to the conference call procedure set forth above, any such motion to compel should expressly request, in the title of the motion, a referral to the United States Magistrate Judge. Such referral requests will

normally be granted. If the Magistrate Judge is recused, alternate arrangements will be made.

**SO ORDERED.**

A handwritten signature in black ink, reading "Joe Laplante", written over a horizontal line.

Joseph N. Laplante  
United States District Judge

Dated: January 19, 2012

cc: Shenanne Ruth Tucker, Esq.  
Gregory A. Ramsey, Esq.